

FILED

JUN 04 2024

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY *[Signature]* DEP CLK

United States District Court  
Eastern District of North Carolina  
Western Division

Case No. 5:24-CT-3142-BO

(To be filled out by Clerk's Office only)

TAKONIA JAVAR RAYNOR

Inmate Number # 79

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

BERNIE COUNTY

LIFECOMAN

Mr. WHITE HURST

**COMPLAINT**

(*Pro Se* Prisoner)

Jury Demand?

Yes

No

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV. Do not include addresses here.)

**NOTICE**

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

## I. COMPLAINT

Indicate below the federal legal basis for your claim, if known. This form is designed primarily for pro se prisoners challenging the constitutionality of their conditions of confinement, claims which are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

- 42 U.S.C. § 1983 (state, county, or municipal defendants)
- Action under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)
- Action under Federal Tort Claims Act (United States is the proper defendant; must have presented claim in writing to the appropriate Federal agency and received a notice of final denial of the claim pursuant to 28 U.S.C. § 2401(b))

## II. PLAINTIFF INFORMATION

JARONTA JAVAR RAYNOR

Name

#79

Prisoner ID #

BENTIE MARTIN REGIONAL JAIL

Place of Detention

230 COUNTY FAIRY ROAD

Institutional Address

WINSTON

City

NC

State

27983

Zip Code

## III. PRISONER STATUS

Indicate whether you are a prisoner or other confined person as follows:

- Pretrial detainee  State  Federal
- Civilly committed detainee
- Immigration detainee
- Convicted and sentenced state prisoner
- Convicted and sentenced federal prisoner

#### IV. DEFENDANT(S) INFORMATION

Please list the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant 1: BERTIE COUNTY

Name

COUNTY

Current Job Title

128 South King Street

Current Work Address

WILMINGTON

City

NC

State

27983

Zip Code

Capacity in which being sued:  Individual  Official  Both

Defendant 2: L. FREEMAN

Name

DIRECTOR (Act)

Current Job Title

230 COUNTY Farm Road

Current Work Address

WILMINGTON

City

NC

State

27983

Zip Code

Capacity in which being sued:  Individual  Official  Both

**Defendant(s) Continued**

Defendant 3:

Marilyn Whitehurst

Name

Director (Admin)

Current Job Title

230 County Farm Road

Current Work Address

Windsor

NC

27573

City

State

Zip Code

Capacity in which being sued:  Individual  Official  Both

Defendant 4:

Name

Current Job Title

Current Work Address

City

State

Zip Code

Capacity in which being sued:  Individual  Official  Both

V. STATEMENT OF CLAIM

Place(s) of occurrence: BERTIE MARTIN REGIONAL JAIL

Date(s) of occurrence: August 2023 TO MAY 2024 THEREAFTER.

State which of your federal constitutional or federal statutory rights have been violated:

FIFTH AND FOURTEENTH AMENDMENT; FIRST  
AMENDMENT

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions, state whether you were physically injured as a result of those actions, and if so, state your injury and what medical attention was provided to you.

FACTS:

1.) SINCE 2023 PLAINTIFF RAYNOE BEEN HELD IN ISOLATION  
IN BERTIE MARTIN REGIONAL JAIL THE DEFENDANTS WHITEHORN,  
BERTIE COUNTY, AND L. FREEMAN HAS DEPRIVED PLAINTIFF  
OF INDOOR AND OUTDOOR EXERCISE A VIOLATION  
OF PLAINTIFF FIFTH AND FOURTEENTH AMENDMENT.  
Causing Physical, psychological and emotional distress!

Who  
did what to  
you?

2.) SINCE AUGUST 2023 PLAINTIFF RAYNOE HAS BEEN  
PLACED IN ISOLATION WITHOUT BEEN PROVIDED ANY  
HEARING A VIOLATION OF PLAINTIFF FIFTH AND  
FOURTEENTH AMENDMENT.

3.) PLAINTIFF IS RECEIVING PUNISHMENT FOR  
TALKING TO OTHER INMATES IN THE JAIL  
WHICH HE IS BEING PUNISHED LOSS  
OF PRIVILEGES WITHOUT APPEARING APPEARING  
BEFORE A HEARING OFFICER. Causing mental  
Breakdown, had I start taking anxiety meds!

4.) THE DEFENDANTS BERTIE COUNTY AND L. FREEMAN, WHITEHORN

What happened to you?

EXPOSED PLAINTIFF RAYNOR TO DAILY HOURS CELL NEAR VENTILATION CONTAINMENT ASBESTOS CAUSING PLAINTIFF TO COUGH UP DUST AND LINT PARTICLES MIXED WITH BLOOD. STALE AIR BODY ODOR AND FECES SMELL. CONTINUE DAILY COMING THOUGH THE VENTILATION CAUSING PLAINTIFF SEVERE MIGRAINE HEADACHES DAILY A VIOLATION OF PLAINTIFF FIFTH AND FOURTEENTH AMENDMENT. Congesting, wheezing and squeaky like noise when breathing!

Hurst 5.) THE DEFENDANTS BERTIE COUNTY AND L. FREEMAN, WHITE IS INTERFERING WITH PLAINTIFF ACCESS TO COURT LIMITING PLAINTIFF ACCESS TO THE LAW LIBRARY 15 MINUTES A DAY. NOT GIVING PLAINTIFF ENOUGH TIME TO FOLLOW LOOK UP CASES OR LAW INFORMATION!

When did it happen to you?

Hurst

6.) THE DEFENDANT IS BERTIE COUNTY AND L. FREEMAN, WHICH NO VISITATION FOR PLAINTIFF RAYNOR BECAUSE HE VIOLATED A RULE FOR TALKING IS A VIOLATION OF PLAINTIFF FIRST, FIFTH AND FOURTEENTH AMENDMENT,

Hurst

Where did it happen to you?

7.) THE DEFENDANTS BERTIE COUNTY AND L. FREEMAN, WHITE HAS RULES THAT PLAINTIFF RAYNOR WAS NOT GIVEN NOTICE THAT BREAKING THE RULES VIOLATES JAIL RULES THAT WOULD LEAD PLAINTIFF INTO ISOLATION A VIOLATION OF PLAINTIFF FIFTH AND FOURTEENTH AMENDMENT.

8.) THE DEFENDANTS BERTIE COUNTY AND L. FREEMAN, WHITE HURST REFUSE TO REPLY TO PLAINTIFF RAYNOR GRIEVANCES TO INTERFERE WITH PLAINTIFF

What was  
your  
injury?

RIGHT TO ACES TO COURT IS A VIOLATION OF  
PLAINTIFF FIRST AMENDMENT. GRIEVANCES/APPEALS  
IGNORED NUMEROUS TIMES!

9.) THE DEFENDANTS BERTIE COUNTY AND WHITEHORSE  
LO FREEMAN EXPOSED PLAINTIFF RAYNOR TO  
MOLD IN THE CELL SHOWER, SHOWER HEAD AND  
GREENISH AND BLUEISH BUILD UP INSIDE THE  
SINK EXPOSING PLAINTIFF TO A HEALTH RISK.  
A VIOLATION OF PLAINTIFF FIFTH AND FOURTEENTH  
AMENDMENT. PROBLEMS BREATHING, WHEEZING  
AND SOAKING! CONSTANT HEADACHES, ANXIETY!  
SHORTHNESS OF BREATHES. NOSE BLEEDS. BODY ACES  
FROM LACK OF SLEEP! HAVING TO FILL OUT SICK  
CALLS CONSTANTLY FOR ANTIBIOTICS AND  
TYLENE AND IBUPROFEN!  
NO WORKING HOT/WARM WATER FROM SINKS,  
BLUEISH/GREENISH RUSH LIKE SUBSTANCES  
AROUND SINK AND SHOWERHEAD! SHOWER WATER  
ONLY GETS HOT/WARM IN THE MORNING TIME!  
CANT COOK CANTEEN(NOODLES) OR TAKE A SHOWER  
AFTER 10pm!

## VI. ADMINISTRATIVE PROCEDURES

*WARNING: Prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions. 42 U.S.C. § 1997e(a). Your case may be dismissed if you have not exhausted your administrative remedies.*

Have you filed a grievance concerning the facts relating to this complaint?  Yes  No

If no, explain why not:

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Is the grievance process completed?  Yes  No

If no, explain why not:

I HAVE FILED GRIEVANCES MRS. FREEMAN DIRECTOR(Asst)  
HAS NEVER REPLIED BACK TO THE GRIEVANCES THIS  
PROCESS OF NOT REPLYING TO GRIEVANCES HAS HAPPEN  
TO OTHER INMATES.

## VII. RELIEF

*State briefly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.*

- A.) PLAINTIFF SEEKS COMPENSATORY DAMAGES IN THE AMOUNT  
OF \$1 MILLION DOLLARS AGAINST EACH DEFENDANT.
- B.) PLAINTIFF SEEKS PUNITIVE DAMAGES IN THE AMOUNT OF  
\$1 MILLION DOLLARS AGAINST EACH DEFENDANTS.
- C.) PLAINTIFF SEEKS MENTAL AND EMOTIONAL DISTRESS DAMAGES  
AGAINST EACH DEFENDANT.
- D.) PLAINTIFF SEEK A INJUNCTION ORDER AGAINST THE DEFENDANTS,  
TO PROVIDE INDOOR AND OUTDOOR EXERCISE, TO PROVIDE CLEAN  
VENTILATION, CREATE A HEARING FOR PLACEMENT ON ISOLATION AND  
DISPUNARY MEASURING GRAY.

### VIII. PRISONER'S LITIGATION HISTORY

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal *in forma pauperis* in federal court if that prisoner has "on three or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. §1915(g).

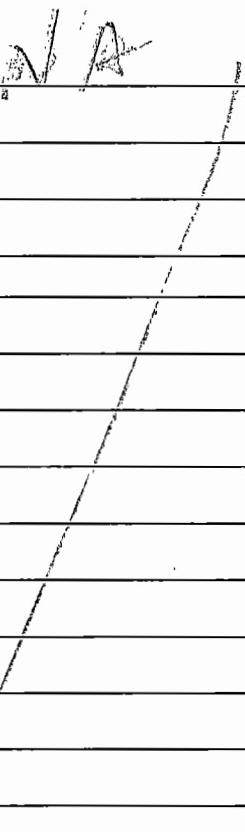
Have you brought any other lawsuits in state or federal court while a prisoner?

Yes     No

If yes, how many? \_\_\_\_\_

Number each different lawsuit below and include the following:

- Name of case (including defendants' names), court, and docket number
- Nature of claim made
- How did it end? (For example, if it was dismissed, appealed, or is still pending, explain below.)



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## IX. PLAINTIFF'S DECLARATION AND WARNING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

*Each Plaintiff must sign and date the complaint and provide prison identification number and prison address.*

5-12-2024

Dated

Tarontia Javar Raynor

Plaintiff's Signature

TARONTIA JAVAR RAYNOR

Printed Name

#79

Prison Identification #

<u>230 COUNTY FAIR DR</u>	<u>BETHEL</u>	<u>WV</u>	<u>25983</u>
Prison Address	City	State	Zip Code